

## **REMARKS**

### ***Status of the Claims***

Claims 3 and 5 are pending and amended; claims 1-2, 4 and 6-11 are canceled.

Pursuant to the Examiner's indication of allowable subject matter, claims 3 and 5 have been re-written in independent form, incorporating all of the elements and limitations of the canceled base claims from which they depend.

No new matter has been added.

### **1. Claim Rejections under 35 USC §112, First Paragraph**

The Examiner has rejected claims 1, 2 and 4 as allegedly lacking enablement and written description for the reasons set forth on pages 2-4 of the Office Action.

Applicants have canceled these claims, thereby obviating the rejections.

Applicants have made these claim amendments and cancellations solely to expedite prosecution, and do not agree with the Examiner that canceled claims 1, 2, 4 lack enablement and written description. Applicants hereby reserve the right to pursue the subject matter of canceled claims 1, 2 and 4 in divisional and/or continuation applications.

### **2. Conclusion**

Applicants submit that the claim amendments, claim cancellations and remarks set forth above place this application in condition for allowance. Applicants respectfully request immediate allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson, Registration No. 33,330, at

the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution of the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: February 13, 2008

Respectfully submitted,

BY 

Leonard R. Svensson

Registration No.: 30,330

BIRCH, STEWART, KOLASCH & BIRCH, LLP

12770 High Bluff Drive

Suite 260

San Diego, California 92130

(858) 792-8855

Attorney for Applicant